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CENTRAL FAX CENTER****OCT 16 2006****PATENT
102-1189****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Jerry Joe Wolfe Jr. et al.

Serial No.: 10/706,410

Filed: November 12, 2003

FOR: CONTAINER
APPARATUS AND METHOD

Examiner: Kimberly S. Smith

Group Art Unit: 3644

Confirmation Number: 6794

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a)

Applicant hereby petitions for an extension of time to respond to the Patent Office Action.

Enclosed with this petition is a Request for Continued Examination including the After Final Amendment filed September 6, 2005 which serves as a complete response to the Office Action dated July 5, 2005. The three-month period expired October 5, 2005, and this petition is therefore filed within the first month thereafter.

The application is filed by a small business entity. A Small Entity Declaration to that effect was filed November 12, 2003, and small entity status is still proper in this application.

01/04/2007 CKHLOK 00000002 191453 10706410

02 FC:2251 60.00 DA

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OCT 16 2006

Therefore, a credit card authorization for sixty (\$60) Dollars representing the one month extension fee is enclosed. If there is any additional fee due, please charge such fee to Deposit Account No. 19-1453 (Our File No. Triple Crown 102-1189).

Respectfully submitted,

J. Nevin Shaffer, Jr., P.A.

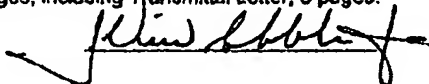
Date: 18 October 2005By: 

J. Nevin Shaffer, Jr., Reg. No. 29,858
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Reg. No. 29,858, J. Nevin Shaffer, Jr.



PTO/SB/30 (04-05)

Approved for use through 07/31/2006. OMB 0851-0031

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**Request
for
Continued Examination (RCE)
Transmittal**Address to:
Mail Stop RCE
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P.O. Box 1450
Alexandria, VA 22313-1450

Application Number

10706,410

Filing Date

11/12/2003

First Named Inventor

Jerry Joe Wolff, Jr.

Art Unit

3644

Examiner Name

Kimberly S. Smith

Attorney Docket Number

102-1189

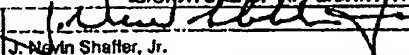
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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- I. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- II. ☒ Other The After Final Amendment filed September 6, 2005.
- b. ☐ Enclosed
- I. ☐ Amendment/Reply
- II. ☐ Affidavit(s)/Declaration(s)
- III. ☐ Information Disclosure Statement (IDS)
- IV. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other _____
3. **Fees**
- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 19-1453. I have enclosed a duplicate copy of this sheet.
- a. ☒ RCE fee required under 37 CFR 1.17(e)
- b. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- c. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

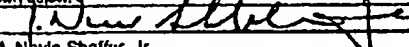
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	18 October 2005
Name (Print/Type)	J. Nevin Shaffer, Jr.	Registration No.	29,858

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	18 October 2005
Name (Print/Type)	J. Nevin Shaffer, Jr.		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.